

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

Alexandria Division

IN THE MATTER OF THE SEARCH OF
8105 CREEKVIEW DRIVE
SPRINGFIELD, VA 22153

Case No. 1:17-sw-14

UNDER SEAL

GOVERNMENT'S REPLY TO MOTION TO UNSEAL

The United States, by and through undersigned counsel, hereby responds to the movant's Motion to Unseal. The United States does not oppose the Motion to Unseal, but requests that the Court permit very minor redactions to the affidavit in support of the search warrant in order to comply with Federal Rule of Criminal Procedure 49.1 and protect from disclosure information pertaining to an ongoing investigation in another jurisdiction. *See* Fed. R. Crim. P. 49.1 (providing for the redaction of certain identifying information from documents filed publicly); *Media Gen. Operations, Inc. v. Buchanan*, 417 F.3d 424, 430 (4th Cir. 2005) (finding that the sealing or protection of information is appropriate where its disclosure, *inter alia*, "would hamper [an] ongoing investigation" or harm "broader investigations in other districts") (citations and internal quotation marks omitted); E.D.V.A. Local Crim. R. 49(B) (permitting the filing of a redacted version, where the government would otherwise move to unseal). The government's redactions appear at paragraphs 24 and 28 of the affidavit. *See* Attached Aff.

A search and seizure warrant was authorized by this Court on January 18, 2017 for the premises located at 8105 Creekview Drive, Springfield, Virginia, 22153. The same day, the Court granted the United States' Motion to Seal the search warrant, the application for the search warrant, and the affidavit in support of the search warrant, and issued an Order sealing the

The movant, who is presently seeking to unseal the matter and the return of property, is a resident of the aforementioned premises and was present at the time the warrant was executed by officers of the Federal Bureau of Investigation. At the time the warrant was executed, the movant was made aware of the investigation and the nature of the allegations under investigation. In light of the fact that the warrant has been executed and the movant is aware of the investigation, the reasons for sealing the warrant, application, and supporting affidavit in its entirety are no longer present. Accordingly, the United States does not oppose the Motion to Unseal, save for the information protected by Federal Rule of Criminal Procedure 49.1 and the information for which disclosure would hamper an ongoing investigation into a separate matter. Therefore, the government is submitting a very minimally redacted affidavit in support of the search warrant and moving that this version be publicly filed on the docket. *See Attached Aff.*

Respectfully submitted,

Dated: February 10, 2017

By: /s/
Jennifer Singer
Special Assistant United States Attorney
U.S. Attorney's Office
2100 Jamieson Avenue
Alexandria, Virginia 22314
Phone: 703-299-3759
Jennifer.A.Singer2@usdoj.gov